

Intensely Developed Area (IDA) Regulatory/Guidance References December 9, 2010

Chesapeake Bay Preservation Area Designation and Management Regulations:

9VAC10-20-40. Definitions:

"Intensely Developed Areas" means those areas designated by the local government pursuant to 9VAC10-20-100.

9VAC10-20-100. Intensely Developed Areas.

A. At their option, local governments may designate Intensely Developed Areas as an overlay of Chesapeake Bay Preservation Areas within their jurisdictions. For the purposes of this chapter, *Intensely Developed Areas shall serve as redevelopment areas in which development is concentrated as of the local program adoption date.* Areas so designated shall comply with the performance criteria for redevelopment in Part IV (9VAC10-20-110 et seq.) of this chapter.

B. Local governments exercising this option shall examine the pattern of residential, commercial, industrial and institutional development within Chesapeake Bay Preservation Areas. *Areas of existing development and infill sites where little of the natural environment remains* may be designated as Intensely Developed Areas provided at least one of the following conditions existed *at the time the local program was originally adopted*:

1. Development has severely altered the natural state of the area such that it has more than 50% impervious surface;
2. Public sewer and water systems, or a constructed stormwater drainage system, or both, have been constructed and served the area by the original local program adoption date. This condition does not include areas planned for public sewer and water or constructed stormwater drainage systems;
3. Housing density is equal to or greater than four dwelling units per acre.

9VAC10-20-120. General performance criteria.

8. c. Stormwater management criteria for redevelopment shall apply to any redevelopment, whether or not it is located within an Intensely Developed Area designated by a local government.

9VAC10-20-130. Development criteria for Resource Protection Areas.

In addition to the general performance criteria set forth in 9VAC10-20-120, the criteria in this section are applicable in Resource Protection Areas.

1. Land development may be allowed in the Resource Protection Area, subject to approval by the local government, only if it (i) is water dependent; (ii) constitutes redevelopment; (iii) constitutes development or redevelopment within a designated Intensely Developed Area; (iv) is a new use established pursuant to subdivision 4 a of this section; (v) is a road or driveway crossing satisfying the conditions set forth in subdivision 1 d of this section; or (vi) is a flood control or stormwater management facility satisfying the conditions set forth in subdivision 1 e of this section.

and,

1.c. Redevelopment outside locally designated Intensely Developed Areas shall be permitted in the Resource Protection Area only if there is no increase in the amount of impervious cover and no further encroachment within the Resource Protection Area, and it shall conform to applicable erosion and sediment control and stormwater management criteria set forth in subdivisions 6 and 8, respectively, of 9VAC10-20-120, as well as all applicable stormwater management requirements of other state and federal agencies.

9VAC10-20-130. Development criteria for Resource Protection Areas.

7. Buffer area requirements for Intensely Developed Areas. In Intensely Developed Areas the local government may exercise discretion regarding whether to require establishment of vegetation in the 100-foot wide buffer area. However, while the immediate establishment of vegetation in the buffer area may be impractical, local governments shall give consideration to implementing measures that would establish vegetation in the buffer in these areas over time in order to maximize water quality protection, pollutant removal, and water resource conservation.

9VAC10-20-171. Comprehensive plans.

2.b.(8) Potential water quality improvement through reduction of existing pollution sources and the redevelopment of Intensely Developed Areas and other areas targeted for redevelopment.

Resource Protection Area: Permitted Development Activities (guidance from the Virginia Department of Conservation and Recreation):

Development or Redevelopment within an Intensely Developed Area

Intensely Developed Areas (IDAs) are redevelopment areas, identified by a local government and approved by the Chesapeake Bay Local Assistance Board, that meet the criteria found in 9 VAC 10-20-100.B. Development or redevelopment within IDAs is permitted provided that it conforms to applicable erosion and sediment control and stormwater management requirements. A WQIA must be submitted for land disturbance within the RPA portion of an IDA overlay.

Tidewater IDAs:

IDAs have been adopted in 19 of the 84 Tidewater localities (7 cities, 10 Towns, and 2 Counties – Prince William and York).